

ASSEMBLY BILL

No. 1621

Introduced by Assembly Member Lieber

February 21, 2003

An act to amend Section 9175, 9185, 9186, 9187, and 9188 of the Food and Agricultural Code, relating to agriculture.

LEGISLATIVE COUNSEL'S DIGEST

AB 1621, as introduced, Lieber. Agriculture.

Existing law provides for the regulation of animals and pests for the prevention and control of disease. Existing law also makes specified actions unlawful and subject to investigation by the Secretary of Food and Agriculture. Under existing law any fees that are required pursuant to these provisions are due and payable upon receipt of a statement from the Department of Food and Agriculture itemizing the kind and amount of the fees and provides for penalties if these fees are not paid.

This bill would make technical, nonsubstantive changes to these provisions and would update these provisions with respect to references to the Secretary of Food and Agriculture.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 9175 of the Food and Agricultural Code
- 2 is amended to read:
- 3 9175. The ~~director~~ *secretary* may make any necessary
- 4 investigations relative to reported violations of this division,

1 pursuant to Article 2 (commencing with Section 11180) of Chapter
2 2 of Part 1 of Division 3 of Title 2 of the Government Code.

3 SEC. 2. Section 9185 of the Food and Agricultural Code is
4 amended to read:

5 9185. Any fees ~~which~~ *that* are provided for by any provision
6 of this division and regulations promulgated pursuant to it shall be
7 due and payable upon receipt of a statement from the department
8 itemizing the kind and amount of ~~such~~ *the* fees. ~~Such~~ *The* fees shall
9 be paid to the ~~director~~ *secretary* within 30 days of the receipt of the
10 statement.

11 SEC. 3. Section 9186 of the Food and Agricultural Code is
12 amended to read:

13 9186. Any fees ~~which~~ *that* are due and payable pursuant to
14 Section 9185—~~which~~ *that* are not paid may be recovered by the
15 ~~director~~ *secretary* in accordance with the provisions of Section
16 281.

17 SEC. 4. Section 9187 of the Food and Agricultural Code is
18 amended to read:

19 9187. A penalty assessment of 5 percent per month of the
20 amount of any unpaid fees, not to exceed 25 percent, shall be
21 collected by the ~~director~~ *secretary* when fees are not paid in
22 accordance with Section 9185.

23 SEC. 5. Section 9188 of the Food and Agricultural Code is
24 amended to read:

25 9188. The ~~director~~ *secretary* shall have a lien upon any
26 livestock and real property owned by the person owing any fees
27 due under any provision of this division that are not paid pursuant
28 to Section 9185.

